



CERTIFICATE OF MAILING 37 C.F.R. § 1.8	
I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on the date below:	
November 27, 2001 Date	 Shelley P.M. Fussey

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
Philip E. Thorpe Sophia Ran and  
Rolf A. Brekken (As Amended)

Serial No.: 09/351,149

Filed: July 12, 1999

For: CANCER TREATMENT KITS  
COMPRISING THERAPEUTIC  
CONJUGATES THAT BIND TO  
AMINOPHOSPHOLIPIDS

Group Art Unit: 1619

Examiner: Sharareh, S.

Atty. Dkt. No.: 3999.002383

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56, it is respectfully requested that this Supplemental Information Disclosure Statement be entered and the documents listed on attached Form PTO-1449 be considered by the Examiner and made of record in the present case. Copies of the listed documents required by 37 C.F.R. § 1.98(a)(2) are enclosed for the convenience of the Examiner.

In accordance with 37 C.F.R. §§ 1.97(g),(h), this Supplemental Information Disclosure Statement is not to be construed as a representation that a search has been made, and is not to be construed to be an admission that the information cited is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

First and Second Non-Final Official Actions reflecting examination on the merits have been received in the present application. However, this Supplemental Information Disclosure Statement is being filed prior to the mailing of a final Official Action, notice of allowance or an Action that closes prosecution, and is timely filed in accordance with 37 C.F.R. § 1.97(c) without a fee in light of the following information.

Applicants first certify, in accordance with 37 C.F.R. § 1.97(e)(1), that the three listed scientific references were each cited in a communication from a foreign patent office in a related foreign application not more than three months prior to the filing of the present statement. Specifically, the three scientific references were cited in a communication mailed from the European Patent Office on October 23, 2001. In any event, these three references are believed to be cumulative over prior art already of record.

The listed U.S. patent was not cited in a communication from a foreign patent office in a counterpart foreign application, but only issued on November 06, 2001, and could not have been known to the applicants prior to that date. The application from which the patent issued has already been disclosed to the Office, the patent is cumulative over co-pending applications already of record, and issued from a co-pending application that has the same effective filing date as the present case, and so cannot be considered as "prior".

No fees should be due in connection with the filing of this Supplemental Information Disclosure Statement. However, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary, the Examiner should contact the undersigned representative to discuss deduction from Williams, Morgan & Amerson Deposit Account No. 50-0786/3999.002383.

Respectfully submitted,



Shelley P.M. Fussey  
Reg. No. 39,458  
Agent for Applicants

WILLIAMS, MORGAN & AMERSON, P.C.  
7676 Hillmont, Suite 250  
Houston, Texas, 77040  
(713) 934-4079

Date: November 27, 2001

Form PTO-1449 (modified)

Atty. Docket No.  
3999.002383Serial No.  
09/351,149

List of Patents and Publications for Applicant's

## INFORMATION DISCLOSURE STATEMENT

(Use several sheets if necessary)

Applicant  
Philip E. Thorpe, Sophia Ran and Rolf A. BrekkeFiling Date:  
July 12, 1999Unknown  
1619

U.S. Patent Documents

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Foreign Patent Documents

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Other Art

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## U.S. Patent Documents

Exam. Init.	Ref. Des.	Document Number	Date	Name	Class	Sub Class	Filing Date of App.
	A19	6,312,694	11/06/01	Thorpe	424	178.1	

## Foreign Patent Documents

Exam. Init.	Ref. Des.	Document Number	Date	Country	Class	Sub Class	Translation Yes/No

## Other Art (Including Author, Title, Date Pertinent Pages, Etc.)

Exam. Init.	Ref. Des.	Citation
	C52	Burrows and Thorpe, "Vascular Targeting - A New Approach to the Therapy of Solid Tumors," <i>Pharmac. Thera.</i> , 64:155-174, 1994.
	C53	Denekamp, "Endothelial Cell Attack as a Novel Approach to Cancer Therapy," <i>Cancer Topics</i> , 6:6-8, 1986.
	C54	Denekamp, The Current Status of Targeting Tumor Vasculature as a Means of Cancer Therapy: An Overview," <i>Int. J. Radiat. Biol.</i> , 60:401-408, 1991.

EXAMINER:

DATE CONSIDERED:

EXAMINER: INITIAL IF REFERENCE CONSIDERED, WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP609; DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED. INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT.



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